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UNITED STATES DISTRICT COURT  
DISTRICT OF MONTANA  
MISSOULA DIVISION

TANYA GERSH,

Plaintiff,

vs.

ANDREW ANGLIN, publisher of  
the *Daily Stormer*,

Defendant.

Case No.: 9:17-cv-00050-DLC-JCL

**DECLARATION OF DAVID C.  
DINIELLI**

I, David C. Dinielli, declare:

1. I am a Deputy Legal Director at the Southern Poverty Law Center and one of the counsel for Tanya Gersh in this action. I have knowledge of the facts contained herein.

2. Plaintiff has worked diligently to effect service on Defendant Anglin.

3. At my direction, a legal notice was placed in *The Daily Reporter*, a newspaper of general circulation in Franklin County, Ohio. Defendant's last known address is in Franklin County, Ohio.

4. The legal notice will run in *The Daily Reporter* for six weeks.

5. I first initiated the request for service by publication on July 25, 2017, when I sent a letter to the General Division Manager of the Franklin County Clerk of Courts.

6. The letter was returned to my office with instructions to e-file the request on or about August 7, 2017.

7. I am not, nor is any person on my staff, able to utilize the electronic services of the Franklin County, Ohio, court system.

8. Beginning August 8, 2017, persons on my staff have regularly called and emailed contacts at the Franklin County Clerk's office in order to finalize the process necessary to effect service by publication on Defendant Anglin.

9. For instance, on August 8, 2017, my paralegal emailed Ms. Joyce Beauman, who had previously assisted us with service attempts on Defendant Anglin through certified and regular U.S. mail.

10. On August 9, 2017, my paralegal learned that Ms. Beauman had retired, and in turn spoke to Ms. Maria Belak, the new General Division Manager of the Franklin County Clerk of Courts.

11. On August 16, 2017, Ms. Belak responded to our email and provided additional instructions for initiating publication of the legal notice required to perfect service of process on Defendant Anglin.

12. Among other requirements, the Franklin County Clerk of Court required a security deposit to cover costs associated with publication. A check was cut to pay the deposit on August 18, 2017, and was sent to the Franklin County Clerk of Courts and directed to Ms. Belak's attention the same day.

13. The check was processed and applied as security by the Franklin County Clerk of Courts on August 25, 2017.

14. I understand that the legal notice is now running in the *Daily Reporter* as of Wednesday, September 13, 2017, and will continue to run for six consecutive weeks.

15. At the time of this filing, Mr. Randazza has not responded to the multiple telephone calls I placed to his Las Vegas office in June 2017.

16. At the time of this filing, Mr. Randazza has not responded to any of the three e-mails I have sent to his office's general e-mail address, contact@randazza.com, the last of which I also sent to what I understand to be Mr. Randazza's direct email address, MJR@randazza.com. A true and correct copy of the email string containing these three emails is attached hereto as Exhibit A.

17. At the time of this filing, Mr. Randazza has not made any contact with me, aside from a direct message sent to my Twitter inbox on September 11, 2017, which offered me a “[w]ellcome” [sic] and urged me to follow Mr. Randazza’s blogs.

18. Mr. Randazza has not entered an appearance or filed any responsive pleading on Mr. Anglin’s behalf in this matter.

19. Mr. Randazza has held himself out as counsel for Mr. Anglin in several articles published by nationwide news services, including *the New York Times*, as well as in news programming segments, including in VICE News and ABC’s Nightline news magazine.

20. A true and correct copy of the *New York Times* article, “To Sue Founder of Daily Stormer, a Neo-Nazi Site, First He Must Be Found,” as it appeared online at <https://www.nytimes.com/2017/08/20/technology/theyre-trying-to-sue-a-white-supremacist-first-he-must-be-found.html> on September 15, 2017, is attached hereto as Exhibit B.

21. The *New York Times* article quotes Mr. Randazza as saying “Would you say that touchdowns are avoiding being scored in a shutout football game? Or would you say that the offense is not scoring them?” in response to a question regarding Defendant Anglin’s avoidance of service.

22. The *New York Times* article attributes to Mr. Randazza a statement in which he publicly denies that he has been contacted by Plaintiff's counsel.

I, David C. Dinielli, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this Declaration is executed in Montgomery, Alabama, on September 15, 2017.



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David C. Dinielli  
Attorney for Plaintiff Tanya Gersh

## **CERTIFICATE OF SERVICE**

I hereby certify that on this date a copy of the foregoing document was sent  
via U.S. mail to the following:

Andrew Anglin  
6827 N High Street, Suite 121  
Worthington, OH 43085

Marc Randazza, Esq.  
Randazza Legal Group  
4035 S. El Capitan Way  
Las Vegas, NV 89147

on this September 15, 2017.

/s/ David C. Dinielli

Attorney for Plaintiff Tanya Gersh  
on behalf of all Attorneys for Plaintiff